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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

KAREN TAYLOR, individually and on behalf of
all others similarly situated, and PAULISA
FIELDS,

Plaintiffs,

v.

WEST MARINE PRODUCTS, INC.,

Defendant.

Case No. 13-CV-4916-WHA
Assigned to Hon. William H. Alsup

**[PROPOSED] ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

1 The Court has before it the Joint Motion for Final Approval of a Class Action Settlement (“Class
2 Settlement”) and Plaintiffs’ Motion for Award of Attorney’s Fees, Incentive Award and Reimbursement
3 of Costs. After reviewing the Motion for Final Approval, Motion for Award of Attorney’s Fees and the
4 Stipulation and Settlement Agreement of Class Action and Individual Claims (“Class Settlement”), the
5 Court hereby finds and orders as follows:

6 1. This Court has jurisdiction over the claims of the Class Members asserted in this
7 proceeding and over all parties to the action.

8 2. The Court finds that no Class Member has objected to the Class Settlement and 21 Class
9 Members have requested exclusion from the Class Settlement.

10 3. This Court finds that the applicable requirements of Federal Rule of Civil Procedure 23
11 have been satisfied with respect to the Settlement Class and the proposed Class Settlement. The Court
12 hereby makes final its earlier certification of the proposed Settlement Class.

13 4. The notice given to the Class Members fully and accurately informed the Class Members
14 of all material elements of the proposed Class Settlement and of their opportunity to object to or comment
15 thereon; was the best notice practicable under the circumstances; was valid, due and sufficient notice to
16 all Class Members; and complied fully with the laws of the State of California, the Federal Rules of Civil
17 Procedure, the United States Constitution, due process and other applicable law. The notice fairly and
18 adequately described the Class Settlement and provided Class Members adequate instructions and a
19 variety of means to obtain additional information. A full opportunity has been afforded to the Class
20 Members to participate in this hearing, and all Class Members and other persons wishing to be heard
21 have been heard. Accordingly, the Court determines that all Class Members (as defined in the Class
22 Settlement) who did not timely and properly execute a request for exclusion are bound by this Order and
23 Judgment.

24 5. The Court hereby finds the Class Settlement is fair, reasonable and adequate, and in the
25 best interests of the Class as a whole. The Court hereby grants final approval to the Class Settlement.
26 Accordingly, the Court hereby directs that the Class Settlement be effected in accordance with the
27 Settlement Agreement and the following terms and conditions.

28 6. It is hereby ordered that the Settlement Administrator shall pay the Settlement Awards in

1 the amounts and pursuant to the terms set forth in the Settlement Agreement.

2 7. It is hereby ordered that the that the Settlement Administrator shall pay the Incentive
3 Award of \$_____ to Class Representative Karen Taylor because the Court finds the Incentive Award
4 is fair and reasonable for the work she provided to the Class and Class Counsel.

5 8. It is hereby ordered that the Settlement Administrator shall pay a Fee Award of
6 \$_____, as well as \$_____ in reimbursement of costs incurred by Class Counsel. Class Counsel's
7 request falls within the range of reasonableness and the result achieved justified the award. Class
8 Counsel's actual expenses in prosecuting this Action are hereby approved as reasonably incurred.

9 9. It is hereby ordered that the Settlement Administrator shall pay the Labor and Workforce
10 Development Agency \$5,000 on account of the California Labor Code Private Attorney General's Act
11 claim, as set forth in the Settlement Agreement.

12 10. It is hereby ordered that the Settlement Administrator shall be paid Administration Costs
13 of \$14,962.

14 11. With this final approval of the Class Settlement, it is hereby ordered that all claims that are
15 released as set forth in the Settlement Agreement are hereby barred.

16 **IT IS SO ORDERED.**

17
18 Dated: _____

HON. WILLIAM H. ALSUP